

BRANCH COUNTY BOARD OF COMMISSIONERS
NOVEMBER SESSION (FIRST DAY)
November 12, 2019

1/ The Board of Commissioners of the County of Branch met, pursuant to adjournment, in the Commissioners meeting room at the Courthouse, on Tuesday, November 12, 2019.

Chairman Gordon called the meeting to order at 4:02 pm.

Present: Commissioners Ted Gordon, Leonard Kolcz, Randall Hazelbaker and Terri Norris, County Clerk Teresa Kubasiak, Administrator Bud Norman

Commissioner Kolcz led the Board in the Pledge of Allegiance.

2/ Motion by Commissioner Norris, seconded by Commissioner Kolcz to approve the agenda. MOTION CARRIED.

3/ Motion by Commissioner Kolcz seconded by Commissioner Hazelbaker, to approve the minutes of the October 22, 2019 Board meeting. MOTION CARRIED

Public Comment:

Commissioner Hazelbaker presented a certificate to Sharon Hall for 20 years of service to the county.

4/ Motion by Commissioner Norris, seconded by Commissioner Kolcz that the MIDC reclassification request will be forwarded to the Reclassification Committee for further review. MOTION CARRIED

5/ Motion by Commissioner Norris, seconded by Commissioner Hazelbaker, that approval is given to fill an SEIU level 6 full time position in the District Court. MOTION CARRIED

6/ Motion by Commissioner Norris, seconded by Commissioner Kolcz that approval is given to fill an SEIU level 6 part time position in the District Court at the starting tier two wage of \$13.26. MOTION CARRIED

7/ Motion by Commissioner Norris, seconded by Commissioner Hazelbaker, that a roll call vote be taken to appoint one person to fill the vacant District 3 Commissioner position. The term will expire on 12/31/2020. Candidates are: Mike Arnold, Tom Matthew, Verna Winger

Arnold - 0

Matthew – Norris, Kolcz, Hazelbaker – 3

Winger – Gordon – 1

MOTION CARRIED

8/ Motion by Commissioner Norris, seconded by Commissioner Gordon that the E911 amended Service Plan take effect on 01/01/2020.

During discussion Commissioner Norris amended the previous motion as follows:

Motion by Commissioner Norris, seconded by Commissioner Hazelbaker to table the vote on the 911 Service Plan for 30 days. MOTION CARRIED

9/ Motion by Commissioner Hazelbaker, seconded by Commissioner Kolcz, to approve the purchase request for 20 replacement mobile computers for the Sheriff Department vehicles in the amount of \$79,096.00. MOTION CARRIED

10/ Motion by Commissioner Hazelbaker, seconded by Commissioner Norris, to allow the Airport Manager to sell a 1996 truck along with some other miscellaneous items that aren't being used. MOTION CARRIED

11/ Motion by Commissioner Hazelbaker, seconded by Commissioner Norris, that approval is given to adopt the Resolution regarding the Lindsey Intercounty Drain Notes, Series 2019, as presented.

2019-16

RESOLUTION: Lindsey Intercounty Drain Notes, Series 2019

WHEREAS, proceedings have been taken by the Drainage Board for the Lindsey Intercounty Drain for improvements to the Lindsey Intercounty Drain (the "Project") pursuant to a petition filed with the Hillsdale County Drain Commissioner under the provisions of Chapter 8 of the Drain Code of 1956, as amended (the "Drain Code"); and

WHEREAS, in order to defray the cost of the Project, the Drainage Board is expected to authorize and provide for the issuance by the Lindsey Intercounty Drain Drainage District (the "Drainage District") of notes (the "Notes") in the aggregate principal amount of not to exceed \$225,000, bearing interest at a rate not to exceed 6.0% per annum, and maturing not later than June 1, 2035, in anticipation of the collection of an equal amount of special assessments against property and public corporations (including the County of Branch) in the Counties of Hillsdale and Branch in the Drainage District, said special assessments to be duly confirmed as provided in the Drain Code; and

WHEREAS, 70% of the cost of the Project has been apportioned by the Drainage Board to the County of Hillsdale and 30% of such cost has been apportioned by the Drainage Board to the County of Branch (the "County"); and

WHEREAS, the Drainage Board deems it advisable and necessary to obtain from this Board a resolution pledging the limited tax full faith and credit of the County on the Notes to the extent of special assessments assessed against property and public corporations in the County; and

WHEREAS, the Project is necessary to protect and preserve the public health and it is in the best interest of the County that the Notes be sold.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF BRANCH:

1. Pursuant to the authorization provided in Section 434 of the Drain Code of 1956, as amended, provided that the Notes are issued within the parameters set forth above, the Branch County Board of Commissioners, by a two-thirds vote of its members elect, does hereby irrevocably pledge the full faith and credit of the County for the prompt payment of the principal of and interest on the Notes to the extent of special assessments against property and public corporations in the County, and does agree that in the event that the property owners or public corporations in the Drainage District shall fail or neglect to account to the County Treasurer of the County of Branch for the amount of any special assessment installment and interest (in anticipation of which the Notes are issued) when due, then the amount thereof shall be immediately advanced from County funds, and the County Treasurer is directed to immediately make such advancement to the extent necessary. The ability of the County to levy taxes to pay its share of the principal of and interest on the Notes shall be subject to constitutional and statutory limitations on the taxing power of the County.

2. In the event that, pursuant to said pledge of full faith and credit, the County advances out of County funds, any part of the principal of and interest due on the Notes, it shall be the duty of the County Treasurer, for and on behalf of the County, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.

3. This resolution shall become effective only if the Board of Commissioners of the County of Branch adopts a resolution substantially in the form of this resolution that pledges the limited tax full faith and credit of the County of Branch to the payment of the principal of and interest on the Notes when due to the extent of its apportioned share of the cost of the Project.

4. All resolutions and part of resolutions, insofar as the same may be in conflict with the provisions of this resolution, are hereby rescinded.

Upon roll call vote the results were as follows:

Yes – Norris, Kolcz, Hazelbaker, Gordon – 4

No – 0

MOTION CARRIED

Consent Agenda:

approve the Bills and Accounts in the amount of \$239,778.52

approve the Budget Transfer request made by 911 of \$22,950.72 from Capital Outlay to Special Election Costs.

12/ Motion by Commissioner Norris, seconded by Commissioner Hazelbaker, that authorization is given to approve the following items by Consent Agenda: Bills & Accounts and Budget Amendment Request (Special Fund #211-346)

MOTION CARRIED

13/ Motion by Commissioner Gordon, seconded by Commissioner Norris, that approval is given to adopt the Resolution of Agreement between the County of Branch and Michigan Department of Natural Resources Grants Management Land and Water Conservation Fund Development Project, as presented.

2019-17

**RESOLUTION OF AGREEMENT BETWEEN THE COUNTY OF BRANCH AND MICHIGAN
DEPARTMENT OF NATURAL RESOURCES – GRANTS MANAGEMENT
LAND AND WATER CONSERVATION FUND DEVELOPMENT PROJECT AGREEMENT**

BRANCH COUNTY BOARD OF COMMISSIONERS

RESOLVED, that the County of Branch, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources (DEPARTMENT), and that the Branch County Parks Department does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide Fifty (50%) Percent, One Hundred Thirty-Five Thousand (\$135,000.00) dollars and Zero Cents, to match the grant authorized by the DEPARTMENT.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.

5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.”

Upon roll call vote the results were as follows:

Yes – Norris, Kolcz, Hazelbaker, Gordon – 4

No – 0

MOTION CARRIED

Chairman’s Remarks:

Chairman Gordon welcomed Tom Matthew to the Board.

14/ Motion by Commissioner Kolcz, seconded by Commissioner Norris to adjourn at 4:24pm. **MOTION CARRIED**

Chairman

Clerk